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8 and WALTER LIEW

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

11 E.I. DU PONT DE NEMOURS AND
12 COMPANY,

13 Plaintiff

14 vs.

15 USA PERFORMANCE TECHNOLOGY,
16 INC., PERFORMANCE GROUP (USA),
17 INC., WALTER LIEW, and JOHN LIU,

18 Defendants

Case No. 3:11-cv-01665 (MEJ)

**DECLARATION OF KEVIN PASQUINELLI
IN SUPPORT OF USA PERFORMANCE
TECHNOLOGY, INC. and DR. WALTER
LIEW'S OPPOSITION TO DUPONT'S
MOTION TO STRIKE**

Hearing Date: July 1, 2011

Time: 9:00 a.m.

Honorable Judge Jeffrey S. White

DECLARATION OF KEVIN PASQUINELLI

I, Kevin Pasquinelli, declare as follows:

1. My name is Kevin Pasquinelli. I am an attorney with Mount, Spelman, and Fingerman, counsel for Defendants USA Performance Technology, Inc., Performance Group (USA), Inc.; and Walter Liew. I have personal knowledge of the facts set forth in this declaration and, if called upon to testify in this Court as to those facts, my testimony would be as stated herein.

2. Attached as Exhibit A is a copy of what purports to be a DuPont press release dated 3/1/05, which I downloaded off the World Wide Web on about 6/6/2011.

3. Attached as Exhibit B is a copy of what purports to be an article from Chinaknowledge regarding DuPont's activities in China dated 3/17/2009, which I downloaded off the World Wide Web on about 6/6/2011.

4. Attached as Exhibit C is a copy of what purports to be an article from Industrial Minerals regarding DuPont's activities in China dated 9/2/2009, which I downloaded off the World Wide Web on about 6/6/2011.

5. Attached as Exhibit D is a copy of what purports to be a DuPont press release dated 3/10, which I downloaded off the World Wide Web on about 6/6/2011.

6. Attached as Exhibit E is a copy of what purports to be an article from CCM TiO₂ Research, dated 12/9/2010, which I downloaded off the World Wide Web on about 6/6/2011.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge. Executed on June 10, 2011.

Date: June 10, 2011

MOUNT, SPELMAN & FINGERMAN, P.C.

/s/ Kevin M. Pasquinelli

Kevin M. Pasquinelli, Esq.
Counsel for USA PERFORMANCE TECHNOLOGY, INC. and
DR. WALTER LIEW

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